

EXHIBIT D

TWERSKY PLLC

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Attorneys for Non-Parties Aharon Mansour and Twersky PLLC

SUPERIOR COURT OF NEW JERSEY

LAW DIVISION: OCEAN COUNTY

Docket No.: OCN-L-001530-21

-----X
FIRST COMMERCE BANK,

Plaintiff,

- against -

SWAR DEVELOPERS, LLC AND
KHDR A. SWED,

Defendants.

**PROPOSED ORDER
GRANTING ADMISSION
PRO HAC VICE**

-----X
SWAR DEVELOPERS, LLC AND
KHDR A. SWED,

Third-Party Plaintiffs,

- against -

NAFTALI KUNTSLINGER, ESQ.

Third-Party Defendant.
-----X

This matter having been brought before the Court on an Application for an Order
allowing Aaron Twersky, Esq. to appear and participate *pro hac vice* in this matter;

And the Court having read and reviewed the moving papers, and the proofs and
arguments submitted in support thereof, and any opposition thereto, and good cause having been
shown;

IT IS on this ^{July} 22 day of ~~May~~, 2022, **DENIED**

ORDERED that the Application is ~~granted~~; and it is further

~~**ORDERED** that the abovementioned attorney be permitted to appear *pro hac vice* in the above-captioned matter pursuant to New Jersey Court Rule 1:21-2; and it is further~~

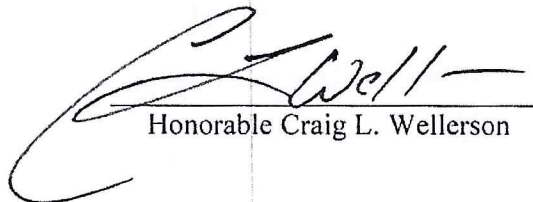
~~**ORDERED** that the abovementioned attorney shall be bound by the New Jersey Court Rules, including all disciplinary rules, New Jersey Court Rules 1:20-1 and 1:28-2; and it is further~~

~~**ORDERED** that the abovementioned attorney shall consent to the appointment of the Clerk of the Supreme Court as agent upon whom service of process may be made for all actions against the attorney or the attorney's firm that may arise out of the attorney's participation in the matter; and is further~~

~~**ORDERED** that the abovementioned attorney shall notify the Court immediately of any matter affecting the attorney's standing at the bar of any other court; and it is further~~

~~**ORDERED** that all pleadings, briefs and other papers filed with the Court shall be signed by an attorney of record authorized to practice in this State, who shall be held responsible for them and for the conduct of the case and of the admitted attorney therein; and it is further~~

~~**ORDERED** that the abovementioned attorney shall pay the fees required by New Jersey Court Rules 1:20-1(b) and R. 1:28-2 and submit an affidavit of compliance.~~


Honorable Craig L. Wellerson

Attorney ID#030202008

CLARK GULDIN

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Attorneys for Defendants/Third-Party Plaintiffs

**SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: OCEAN COUNTY
DOCKET NO. OCN-L-001530-21**

FIRST COMMERCE BANK,

Plaintiff,

vs.

**SWAR DEVELOPERS, LLC AND
KHDR A. SWED,**

Defendants.

CIVIL ACTION

ORDER

**SWAR DEVELOPERS, LLC AND
KHDR A. SWED,**

Third-Party Plaintiffs,

vs.

NAFTALI KUNSTLINGER, ESQ.

Third-Party Defendant.

THIS MATTER having been opened to the Court by motion filed by Defendants/Third-Party Plaintiffs, Swed Developers, LLC and Khdr Swed (“Defendants”), through their counsel, Clark Guldin Attorneys at Law, seeking an Order, pursuant to and in accordance with Rule 4:23-2, awarding Defendants sanctions against Twersky PLLC and Aharon Mansour (collectively, the “Non-Parties”); and the Court having considered said motion, and the proofs and arguments submitted in support thereof and in opposition thereto; and the Court being of the opinion that the relief sought in the motion should be granted; and for good cause shown;

IT IS on this 22 day of July 2022,

ORDERED that the motion brought by the Swed Parties for sanctions against the Non-Parties pursuant to Rule 4:23-2 be and is hereby **GRANTED**; and it is further,

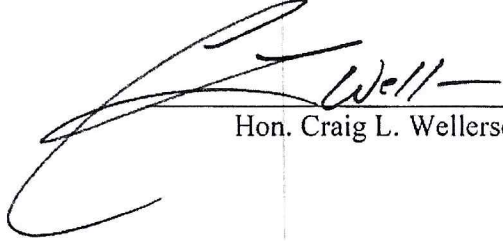
ORDERED that the Non-Parties shall furnish all responsive documents to and a privilege log in response to the Subpoenas *Duces Tecum* and *Ad Testificandum* (the "Subpoenas") served by the Defendants so as to be received no later than ~~August 1, 2022~~ August 12, 2022 at 10:00 am; and it is further

ORDERED that the deposition of (i) a designee of Twersky PLLC and (ii) Aharon Mansour, shall be held no later than Aug 31, 2022 at the offices of Clark Guldin Attorneys at Law, 20 Church Street, Suite 15, Montclair, NJ 07042, and shall continue day-to-day until completed; and it is further,

~~**ORDERED** that pursuant to Rule 4:23-2, the Non-Parties are hereby sanctioned in the amount of \$2,000 for which the Non-Parties shall be jointly and severally liable. Such payment shall be made to the "Clark Guldin Attorney Trust Account" within ten (10) days hereof, or judgment shall be entered against Twersky PLLC and Aharon Mansour jointly and severally, in the amount of \$2,000. Furthermore, Defendants are entitled to recovery of their reasonable attorneys' fees incurred in compelling compliance with the Subpoenas and bringing the within motion and any other related motion practice from the Non-Parties, and shall submit a certification of services within days of the date hereof; and it is further,~~

ORDERED that a copy of this Order be served upon all counsel of record within seven (7) days of the date hereof.

___ Opposed ___ Unopposed



Hon. Craig L. Wellerson, P.J.Cv.P.